

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

KWENTEL BROOMFIELD,	:	Case No. 1:22-cv-428
	:	
Plaintiff,	:	
	:	Judge Douglas R. Cole
vs.	:	Magistrate Judge Kimberly A. Jolson
	:	
VICKERS,	:	
	:	
Defendant.	:	

REPORT AND RECOMMENDATION

On August 24, 2022, this Court issued an Order noting that Plaintiff Kwentel Broomfield needed to submit a completed Summons Form and U.S. Marshal Form for the Defendant. (Doc. 4 at 5). Plaintiff failed to do so. Consequently, the Court issued a deficiency order again ordering Plaintiff to complete and return a Summons Form and U.S. Marshal Form for Defendant Vickers within thirty days. (Doc. 6). The Court also advised Plaintiff that if he fails to comply with this Deficiency order, this matter will be dismissed for failure to prosecute.” (*Id.*). Forty-five days have passed since the Court’s Order, and Plaintiff still has not completed and returned a Summons Form and U.S. Marshal Form. Accordingly, the Court **RECOMMENDS** that this action be dismissed for want of prosecution.

Procedure on Objections to Report and Recommendation

If any party objects to this Report and Recommendation, that party may, within fourteen (14) days of the date of this Report, file and serve on all parties written objections to those specific proposed findings or recommendations to which objection is made, together with supporting authority for the objection(s). A Judge of this Court shall make a *de novo* determination of those

portions of the Report or specified proposed findings or recommendations to which objection is made. Upon proper objections, a Judge of this Court may accept, reject, or modify, in whole or in part, the findings or recommendations made herein, may receive further evidence or may recommit this matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

IT IS SO ORDERED.

Date: November 14, 2022

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE